



Order Filed on October 3, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

RAS Citron, LLC
Authorized Agent for Secured Creditor
130 Clinton Road, Lobby B, Suite 202
Fairfield, NJ 07004
Telephone: 973-575-0707
Facsimile: 973-404-8886

Aleisha C. Jennings 049302015

In Re:

John Koster,

Debtor.

Case No.: 17-30537-MBK

Chapter: 13

Hearing Date: October 1, 2019

Judge: Michael B. Kaplan

Recommended Local Form:

☒ Followed

☐ Modified

**ORDER GRANTING IN REM RELIEF FROM THE AUTOMATIC STAY PURSUANT
TO 11 U.S.C. §362(D)(4) and CO-DEBTOR STAY PURSUANT TO 11 U.S.C. § 1301 (c)**

The relief set forth on the following page, is hereby **ORDERED**.

DATED: October 3, 2019

A handwritten signature in black ink, reading "Michael B. Kaplan", is written over a horizontal line.
Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtors: **John Koster**

Case No.: **17-30537-MBK**

Caption of Order: **Order Vacating Stay**

Upon the motion of WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST, NOT INDIVIDUALLY BUT AS TRUSTEE FOR PRETIUM MORTGAGE ACQUISITION TRUST, (“Secured Creditor”) under Bankruptcy Code section 362(d) (4) and 11 U.S.C. § 1301 (c) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue Secured Creditor’s rights in regard to the following:

☒ Real property more fully described as:

17 Cleveland Avenue, East Brunswick, New Jersey 08816

It is further ORDERED that Secured Creditor, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff’s sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu of foreclosure. Additionally, any purchaser of the property at sheriff’s sale (purchaser’s assignee) may take any legal action for enforcement of its right to possession of the property.

It is further ORDERED that Secured Creditor may join the Debtors and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other Chapter of the Bankruptcy Code.

It is further ORDERED that no future bankruptcy case filed by Debtor, his successor assigns, occupants or transferees, will not stay any action taken by Movant, its successors, assigns or any other entity from proceedings with any legal or consensual actions necessary for enforcement of its right to possession of, or title to, said premises for a period of two (2) years from the entry of this Order.

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John Koster
Order Vacating Stay

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Debtors: **John Koster**

Case No.: **17-30537-MBK**

Caption of Order: **Order Vacating Stay**

Secured Creditor shall serve this Order on the Debtors, any trustee, and any other party who entered an appearance on the motion.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
John Koster
Debtor

Case No. 17-30537-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Oct 04, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 06, 2019.

db +John Koster, 20 Fox Borough Road, Wayne, NJ 07470-8443

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 06, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 4, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Aleisha Candace Jennings on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust
ajennings@rasflaw.com
Andrew M. Lubin on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust
bkecf@milsteadlaw.com, alubin@milsteadlaw.com
Brian C. Nicholas on behalf of Creditor NEW YORK COMMUNITY BANK bnicholas@kmlawgroup.com, bkggroup@kmlawgroup.com
Craig Scott Keiser on behalf of Creditor SELECT PORTFOLIO SERVICING INC., AS SERVICER FOR NEW YORK COMMUNITY BANK craig.keiser@law.njoag.gov
Craig Scott Keiser on behalf of Creditor RMBS REO HOLDINGS, LLC craig.keiser@law.njoag.gov
Kevin M. BATTERY on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust
bkyefile@rasflaw.com
Laura M. Egerman on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, Not Individually but as Trustee for Pretium Mortgage Acquisition Trust bkyecf@rasflaw.com, bkyecf@rasflaw.com; legerman@rasnj.com
Robert C. Nisenson on behalf of Debtor John Koster rnisenon@aol.com, nisensonlaw@aol.com; g2729@notify.cincompass.com; nisensonrr70983@notify.bestcase.com
Sindi Mncina on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust
smncina@rascrane.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 12